

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

JUN 24 2022

Nathan Ochsner, Clerk of Court

COLE, et al.,	§	
Plaintiff,	§	
	§	
v.	§	No. 4:14-cv-01698
	§	
COLLIER,, et al.,	§	
Defendant,	§	

PACK UNIT AIR CONDITIONING COMPLAINT

To Honorable Judge of said Court;

COMES NOW, Kevin Wade Wilson, Pack Unit, Class Member in the above styled and numbered cause of action, and presents this "Air Conditioning Complaint and will show the folowing:

This is a complaint about air conditioning the laundry and cafeteria where 90% of the Class Action Members at the Pack Unit work. They only air-conditioned the dorms and most recently the gym. Judge Ellison ruled in the above action, that it is crule and unusual punishment to be subjected to 88degree or higher temperatures. The settlement of the action excluded this ruling and also non-heat restricted inmates. They neglected to A/C the laundry and kitchen areas. Now inmates are being subjected to working in 10-20 degree higher than outside temperatures. It is June and they are already breaking the 88 degree ruling.

I want to have it established that it is cruel and unusual punishment to work or live in temperatures higher than 88 degrees

for heat restricted and non-heat restricted alike. If there are inmates that have jobs outside or in other high heat environments, they should be allowed to work on a volunteer basis.

There are maintenance issues that need to be addressed all through food service that are creating extreme heat conditions. These will have to be fixed now to bring the danger level down until A/C is able to be installed.

I would like to have Judge Ellison hear this case. He is already familiar with the evidence, players and ruling in the above cause.

This case is to clarify and put in writing that should be as far as A/C, maintenance, and preventative maintenance. For Pack Unit maintenance virtually stopped. With the exception of drain cleaning, lighting and emergency.

In the kitchen, the high temperatures issues are broken exhaust and ventilation. With no extreme hot air going out and no ventilation coming in. The gas appliances are creating a carbon monoxide situation. The hood ranges (the large stainless vents above the cooking stations, steam kettles, gas grill and deep fryer) do not function. I tested these by holding a square toilet paper above my head. If it worked the paper will lift straight up. It stayed down, meaning no air flow. The other exhaust vent in the roof has louvers which remain closed.

There is another danger beside carbon monoxide and that's methane gas due to a broken sewer pipe under the middle sink by the diet line steam table. They fixed this by attaching a gallon jug to the top pipe and pointing the nozzle into the

bottom pipe. The P-trap is above the break so methane gas can escape through the break. Not only is this biologically unsafe, but literally explosive due to its close proximity to the gas grill.

The ventilation of the serving line has not functioned in 3 years. The ventilation on the other side of the cafeteria is being operated by using its breaker. They should be using the thermostat, but they put a steel plate over them so we could not use actual temperatures in our complaints. They blocked us from knowing when our lives were at risk. One of the thermostats is located on the scullery wall and the other one on the serving line. The scullery is where the eating trays are cleaned. the tray machine has exhaust vents at the entrance and exit of machine. 180 degree heat comes out of the machine. The exhaust has not worked since I have worked in food service, which is approximately 5 1/2 years. This is coupled with one or two inches of standing water on the floor due to leaks in pipes and machines create extreme humidity. The only cooling they have is fans that sit in the standing water. it is a miracle no one has been electrocuted.

Then there's the officers dining hall. It is always air-conditioned and everything is repaired by using parts from the inmates cafeteria. There are hundreds more items that can be logged with an inspection by federal inspectors, the state inspectors, the director of food service and laundry, coupled with the ACA, which have allowed themselves to be dog and ponied right past all these problems for years. They do not even turn on faucet,

because, if they did they would notice they did not work. never in my time on this unit have they come in the rain. if they did they could not miss the 300 roof leaks that flood dorms and the mold that they painted beige to hide. The insulation behind the paint is getting wet 3 times a month.

The heat in the laundry speaks for itself. With steam presses and most of the room dominated by dryers and washers to increase the humidity.

If this unit is ran into the ground, than all the units are being run into the ground. I shutter of the implications to the tax payers when TDCJ dumps this problem on them.

The issues with the existing A/C plan is that there is no venting inside the dorms. So it is 50 degrees in the back of the dorm and 70 degrees in the front. We need venting to distribute the air so the whole dorm is the same temperature. They did not install any flashing round the wall penetrations. so again, its flooding the dorms. The vents outside need to be taped and masticed so rain doe not get in the fan. There is a light sprinkle over a bif area when it rains. There are no filters on the unit and this can cause fires, spread sickness, and compromise the longevity of the system. You have seen your own A/C filter, now imagine what we are breathing. For us, Covid was airborne, and due to no filters much more contagious. One person shows symptoms of sickness, the next morning half dozen show the same symptoms of sickness.

Cole v Collier saw to his immediate need and settled not considering workers because he did not work or do his part. I have suffered for 5 1/2 years in that oppressive heat.

Its time to right the wrongs and move TDCJ into the 21st century. it time to stop cruel and unusual punishment. You can clearly see the pattern very clearly. They continued cruel and unusual punishment and defied Judge Ellison's ruling and worked inmates in over 107 degree temperatures for years following the Cole v Collier agreement.

This complaint is to point the direction for the future, establishing the guiding rules for those who come after.

I'm seeking compensation for being subjected to cruel and unusual punishment working in oppressive heat, denied respite and threatened with disciplinary action because I wanted to get out of the heat.

CERTIFICATE OF SERVICE

This is to certify that this document was mailed to the Court, via U.S. Postal Service, postage pre-paid on the date below. Becuase I am an inmate and have no access to a copy machine, I ask the clerk of the Court to distribute this document to all interested parties through the CM/ECF system.

UNSWORN DECLARATION

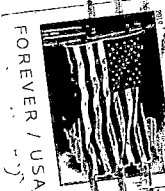
My date of birth is November 11, 1964 and my inmate number is 2041108. I am presently incarcerated in the TDCJ-ID, Pack Unit, Navasota, Grimes County, Texas 77868. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22 day of June, 2022.

Kevin Wade Willson #2041108

KEITH WISDOM 2041108
PACK 1
3400 WILCAGE PACK RD.
MAHAROTA, TX 77868

NORTH HOUSTON
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